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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JOAN AMBROSIO et al., on behalf of
themselves and those similarly situated,

Plaintiffs,

vs.

COGENT COMMUNICATIONS, INC.,

Defendant.

Case No. 3:14-cv-02182-RS

Assigned to:
U.S. District Judge Richard Seeborg

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO CONTINUE ALL DATES
AND DEADLINES PENDING FINAL
SETTLEMENT APPROVAL;
DECLARATION OF MATTHEW E.
COSTELLO IN SUPPORT THEREOF**

[Civil L.R. 6-2]

Complaint filed: May 12, 2014
Trail date: May 22, 2017

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16 JOAN AMBROSIO, ET AL.

STIPULATION

Pursuant to Civil Local Rule (“L.R.”) 6-2, Plaintiffs Joan Ambrosio, et al. and Defendant Cogent Communications, Inc. (collectively, the “Parties”), by and through their counsel of record, hereby stipulate to continue all pending deadlines in this matter, as follows:

WHEREAS, on December 12, 2016, the Parties attended a private mediation conference to attempt to resolve this matter in good faith.

WHEREAS, on December 21, 2016, the Parties reached a settlement in principle of all claims in this action.

WHEREAS, Plaintiffs anticipate filing a motion for preliminary approval of class action settlement within approximately 30 days of the filing of this Stipulation.

WHEREAS, the Parties agree that continuing all dates and deadlines until this Court has made a decision on final settlement approval will conserve judicial and party resources and ensure that the Parties will focus their efforts on reaching a final settlement in this case.

WHEREAS, pursuant to L.R. 6-2(a), this stipulation is accompanied by the Declaration of Matthew E. Costello.

NOW, THEREFORE, the Parties, by and through their counsel of record, hereby stipulate, subject to approval of the Court, that:

(i) Pursuant to L.R. 6-2(b), all dates and deadlines, including all motion filing deadlines, all non-expert and expert discovery deadlines, the pretrial conference date, all pretrial filing deadlines, and the trial date shall be continued until this Court has made a decision on final settlement approval.

(ii) If this Court does not issue final approval of the Parties’ settlement, the Parties will, within 14 days of the final settlement approval hearing, file a joint statement setting forth the status of litigation and any dates and deadlines that will need to be reinstated.

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1 **IT IS SO STIPULATED.**

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3 Respectfully submitted,

4 Date: December 22, 2016

HAYNES AND BOONE, LLP

5 By: /s/ Matthew E. Costello

6 Matthew E. Costello

7 Attorneys for Defendant

8 COGENT COMMUNICATIONS, INC.

9 **I, Matthew E. Costello, attest that Monique Olivier*
10 *has concurred in the filing of this document.*

11 *(Civil L.R. 5-1(i).)*

12 Date: December 22, 2016

DUCKWORTH PETERS LEBOWITZ OLIVIER LLP

13 By: /s/ Monique Olivier

14 Monique Olivier

15 Attorneys for Plaintiffs

16 JOAN AMBROSIO, ET AL.

~~[PROPOSED]~~ ORDER


PURSUANT TO STIPULATION:

All dates and deadlines, including all motion filing deadlines, all non-expert and expert discovery deadlines, the pretrial conference date, all pretrial filing deadlines, and the trial date are hereby continued until this Court has made a decision on final settlement approval.

If this Court does not issue final approval of the Parties' settlement, the Parties shall, within 14 days of the final settlement approval hearing, file a joint statement setting forth the status of litigation and any dates and deadlines that will need to be reinstated.

IT IS SO ORDERED.

Date: 12/27/16



Judge Richard Seeborg
United States District Court